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Attorney for Defendants
CALIFORNIA GRAND CASINO, INC. and
LAMAR V. WILKINSON

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RICHARD STICKNEY, CASE NO. C04-3552 CW
Civil Rights
Plaintiff,

v. **STIPULATION AND ~~PROPOSED~~ ORDER
TO EXTEND TIME FOR FILING MOTION
FOR ATTORNEY FEES, EXPENSES, AND
COSTS**

CALIFORNIA GRAND CASINO,
INC.; LAMAR V. "WILL"
WILKINSON; and DOES 1-25,
Inclusive,

Defendants.

STIPULATION

Plaintiff RICHARD STICKNEY and defendants CALIFORNIA
GRAND CASINO, INC. and LAMAR V. WILKINSON, hereby jointly
stipulate and request that the Court extend plaintiff's

Stipulation and Order Extending Time to File
Attorney Fee Motion: Case No. C04-3552 CW

1 deadline for filing a motion for attorney's fees, litigation
2 expenses, and costs from September 27, 2005 to November 28,
3 2006.

4 Good cause exists for continuing the motion deadline:

5 1. On September 7, 2005, the parties held a further
6 settlement conference in front of Magistrate Judge Maria-Elena
7 James. With the assistance of Judge James, the parties settled
8 the injunctive relief and damages aspects of this litigation.

9 2. Due to the time running out for the September 7
10 settlement conference, however, the parties were not able to
11 even begin discussion of the issue of plaintiff's statutory
12 attorney fees, litigation expenses, and costs. Judge James
13 offered the parties a further settlement conference on this
14 issue in the event that the parties were unable to settle the
15 issue directly between themselves.

16 3. The parties will attempt in good faith to
17 negotiate a settlement of the attorney fees issue, first
18 directly, and, if necessary, with the assistance of Magistrate
19 Judge James. However, this process may take one to two months,
20 especially due to the calendar of Judge James and the ability
21 to schedule a settlement conference on her crowded calendar.
22 The parties believe that negotiation of the attorney fee issue,
23 rather than contested motion, would be a better use of the
24 parties' and, especially, of the court's resources.

25 4. No party has requested a continuance in this
26 case prior to this request, and no party will be prejudiced by
27 the continuance. There are no trial dates set or necessary in
28 this case, since the attorney fee issue is the only outstanding

1 issue.

2 Therefore, the parties now hereby request that
3 plaintiff's deadline for filing a motion for attorney's fees,
4 litigation expenses and costs be extended to and through
5 November 28, 2006.

6
7 Dated: September 16, 2005

PAUL L. REIN
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9
10 /s/ Julie McLean
11 Attorneys for Plaintiff
12 RICHARD STICKNEY

13
14 Dated: September 16, 2005

KENNETH D. SIMONCINI
KERRI A. JOHNSON
LESLIE WAGLEY
SIMONCINI & ASSOCIATES

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17 /s/ Kerri Johnson
18 Attorney for Defendants
19 CALIFORNIA GRAND CASINO, INC.;
20 LAMAR V. WILKINSON

21 **ORDER**

22 Pursuant to stipulation, and for good cause shown, **IT IS SO**
23 **ORDERED.** Plaintiff shall file a motion for attorney's fees,
24 litigation expenses and costs no later than November 28, 2006.

25
26 Dated: 9/20, 2005

27 /s/ CLAUDIA WILKEN
28 Honorable Claudia Wilken
 United States District Judge